

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COALITION TO PROTEST THE
DEMOCRATIC NATIONAL
CONVENTION, et al.,

Plaintiffs,

V.

THE CITY OF BOSTON, et al.,

Defendants,

V.

UNITED STATES OF AMERICA,

Intervenor.

Civil Action No. 04-11608-DPW

SECOND DECLARATION OF SCOTT W. SHEAFE

I, Scott W. Sheafe, do hereby declare as follows:

1. I am an Assistant to the Special Agent in Charge, Dignitary Protective Division, United States Secret Service. I am the 2004 Democratic National Convention Coordinator for the United States Secret Service (Secret Service). In my capacity as Convention Coordinator, I am charged with overseeing the design and implementation of the security plan for the upcoming convention. This Declaration supplements my Declaration dated July 20, 2004, filed in this case.

2. I will not repeat the statements made in my Declaration of July 20, 2004, except that I do wish to emphasize the unique security considerations that apply to a national convention such as the 2004 DNC. The nominations of candidates for the President and Vice President are an integral part of the Nation's democratic process, and, consequently, a violent disruption of a convention has the potential to cause a severe disruption to the orderly election of our national leadership. This is a primary reason why all four days of the Convention have been designated as a National Special Security

Event. The national importance of a national convention, including the intense media attention, makes it an appealing target for terrorists and others who would seek to disrupt our democratic system. The March 2004 bombings in Madrid, which took place on the eve of Spain's national election, remind us of this potential risk. The security concerns of today's post-9/11 world are very different than they were three years ago. In addition, the 2004 DNC is a forum where Presidential and Vice Presidential candidates will appear together along with a number of other important protectees of the Secret Service, including the families of the candidates, former Presidents, and other dignitaries. The Secret Service has a special and statutorily mandated mission to protect these individuals from harm.

3. From a security perspective, the site of the 2004 DNC must be considered as a whole. As shown by the map attached as Exhibit C to the City of Boston's Memorandum of Law In Support of Their Opposition To the Plaintiffs' Request For a Preliminary Injunction, the site is severely constrained by various features on the west, north, and east sides, including the railroad station, the Charles River, and the Central Artery and Leonard Zakim Bridge. The space set aside for media equipment and personnel (also shown on the map) further constrains the space available for security operations. In my experience no other site of a national convention has posed such significant security challenges.

4. In furtherance of the security needs of the Convention, the entirety of North Station and the portion of the Charles River north of the Fleet Center are being closed during the duration of the Convention. Similarly, during the peak hours of the Convention, Interstate 93 and the Zakim Bridge are being closed to the public. On the west side of the Fleet Center, the O'NEILL Federal building is being closed to the general

public. We have thus mitigated security risks on the west, north, and east sides of the Fleet Center. To compromise security further on the south side would defeat these efforts. The security risks are at least as great, if not greater, on the Causeway Street side because that is where delegates and other invitees will arrive, where the main media pavilion is located, and where protesters are likely to congregate.

5. Under the current security plan, Causeway Street already has a number of significant restrictions that limit our ability to provide security. East of the Fleet Center, between Haverhill Street and Medford Street, the Magnetometer Tent will occupy approximately half of the width of Causeway Street, thus creating a logistical bottleneck at this end of the secure area for emergency vehicles that might need to enter or exit the secure area. The remaining width of Causeway Street here will be about 30 feet. Near the western end of Causeway Street, in the area between Portland Street and Lancaster Street, Causeway Street narrows and makes a short “jog” resulting in significantly reduced lane widths. Again, this creates a bottleneck at that end as well. This particular area of access to the security zone has heightened security significance.

6. As pointed out elsewhere, the width of most of Causeway Street has been reduced on the south side by the expansion of the sidewalk. The security fence that will be placed against the curb will consist of two fences separated by a four-foot gap, and will occupy an additional six feet, approximately, thus further reducing the width of Causeway Street. These features make it all the more important to preserve all remaining available space for security operations along Causeway Street. The width of the southern half of Causeway, from the edge of the median to the fence, will be approximately 31 feet. The width of the northern half of Causeway, from the edge of the median to the curb, is approximately 30 feet. A map showing these dimensions is attached.

7. Moving the perimeter fence on Causeway Street farther north would result in a limitation on available space that, in the judgement of the Secret Service, is unacceptable to meet security concerns. If an emergency evacuation of the Fleet Center were required, a majority of the participants would have to exit onto Causeway Street, due to egress limitations to the west, north, and east of the building. An overflow of people into the street would be likely. I pointed out in my July 20 Declaration the need for adequate space for the simultaneous operation of emergency equipment and evacuation of convention participants. Emergency equipment could include fire fighting trucks, ambulances, special equipment for responding to chemical and biological hazards, and possibly counter-assault teams. The operation of fire trucks requires ample space around the trucks and would effectively take up one-half of the available width of Causeway, that is, from the median in Causeway Street to the foot of the buildings on whichever side of the street is affected. The other half of Causeway Street would be needed to accommodate the expected overflow of evacuees, and the movement and operation of other safety equipment and public protection personnel. This includes vehicles for the safe evacuation of the Presidential and Vice Presidential candidates, their families, former Presidents, and other Secret Service protectees. We cannot simply leave these protectees on the sidewalk of Causeway Street.

8. The Secret Service must anticipate a distinct possibility of civil disobedience and disorder. Recent events, such as the 1999 World Trade Organization conference in Seattle, Washington, and the 2000 and 2002 International Monetary Fund meetings in Washington, D.C., demonstrate the very real potential for such an occurrence. It is important to keep in mind that for the 2004 DNC the Boston Police Department does not plan to generally prohibit people outside of the secure zone from carrying bags,

backpacks, and other such items, and there is no plan to conduct routine searches of these things. This could result in weapons, projectiles, bioterrorism devices, and small bombs being hidden and carried to the perimeter of the hard zone. At the 2000 DNC, held at the Staples Center in Los Angeles, protesters used slingshots to launch numerous projectiles over the security fence at delegates, the Staples Center, and law enforcement offices. The LA Police utilized rubber bullets to disperse the crowd. Fortunately no significant explosions occurred then, but the risk of terrorism is much greater now than it was in 2000. The size of the security zone around the Fleet Center is approximately 1,110,808 square feet, excluding the Fleet Center itself, and 1,865,808 including the Fleet Center. This is much smaller than the security zone around the Staples Center in Los Angeles during the 2000 DNC.

9. There exist alternatives locations for demonstrations and other such forms of expressive activity. In addition to various areas more distant from the Fleet Center, there is significant space within Bullfinch Triangle – the so-called “soft zone” established by the Boston Police Department – for demonstrations and the like. Also, as indicated in the view taken by the Court on July 20, 2004, and described in papers filed by the City of Boston, a special demonstration area has been created. Objections have been raised concerning the security features associated with that area, including the fencing and accompanying fabric, the fabric cover over part of the area, and razor wire on some of the

overhead girders. In my opinion, those security measures are essential to provide appropriate protection to the delegates.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief.

July 21, 2004

/s/ Scott W. Sheafe
Scott W. Sheafe
Assistant to the Special Agent in Charge
Dignitary Protective Division
United States Secret Service

